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September 29, 2016

By Facsimile and ECF

Honorable Alvin K. Hellerstein,
Daniel Patrick Moynihan United States Courthouse,
500 Pearl Street,
New York, New York 10007-1312.

Re: *Frontpoint Asian Event Driven Fund, L.P. v. Citibank, N.A.,*
No. 16-cv-05263 (AKH) (S.D.N.Y.)

Dear Judge Hellerstein:

On behalf of all parties in the above-referenced action, I write in connection with the Court's Order of August 16, 2016 (ECF No. 42) (the "Order"). In the Order, the Court directs the parties to: (1) attend a case management and scheduling conference on October 7, 2016; (2) meet and confer regarding case management at least one week prior to the conference; and (3) submit a proposed case management plan pursuant to the Court's Individual Rules of Practice.

Plaintiffs recently informed Defendants that they intend to file an amended complaint, which Defendants expect to subsequently move to dismiss. The parties therefore respectfully submit that completing and filing a proposed case management plan is premature at this time. The majority of the entries on the Court's form case management plan relate to discovery and pre-trial procedures, but discovery and pre-trial deadlines cannot accurately be determined at this stage of the proceeding in light of Plaintiffs' intention to amend the complaint, Defendants' contemplated motion(s) to dismiss, and the Court's August 3, 2016 Order approving the parties' stipulation staying all discovery pending resolution of Defendants' anticipated motion(s) (subject to the possibility that Plaintiffs may seek leave to conduct jurisdictional discovery, which Defendants reserve the right to oppose). (*See* Stipulation and Order, filed August 3, 2016 (ECF No. 11).) Moreover, Defendants' motion(s) to dismiss, if successful, would obviate the need for a case management plan.

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Accordingly, the parties respectfully jointly request that the Court postpone the case management conference, and defer the parties' obligation to submit a proposed case management plan until after the Court has ruled on Defendants' forthcoming motion(s) to dismiss. No previous requests for extensions of time have been made.

Further, after conferring about case management and in an effort to ensure that the action advances reasonably promptly, the parties jointly propose the following schedule for Plaintiffs to file an amended complaint and the parties to brief Defendants' anticipated motion(s) to dismiss:

1. Plaintiffs may file an amended complaint on or before November 18, 2016;
2. Defendants shall move against, answer, or otherwise respond to the complaint or amended complaint on or before January 31, 2017;
3. if Defendants move to dismiss the complaint or amended complaint, Plaintiffs shall respond on or before April 3, 2017;
4. if any Defendant moves to dismiss the complaint or amended complaint on the ground that this Court lacks personal jurisdiction as to it pursuant to Rule 12(b)(2) of the Federal Rules of Civil Procedure, Plaintiffs may seek leave of Court to conduct jurisdictional discovery of that Defendant and additional time to file their opposition(s) to the Rule 12(b)(2) motion(s) to dismiss in order to conduct such discovery (and Defendants reserve the right to oppose any motion by Plaintiffs seeking leave of Court to conduct jurisdictional discovery); and
5. Defendants may file replies on their motion(s) on or before May 3, 2017.

A stipulation and proposed order memorializing the above schedule has been submitted concurrently with this letter for the Court's consideration.

Respectfully,



Matthew J. Porpora

cc: All counsel of record (via ECF)